

BEFORE THE GROWTH MANAGEMENT HEARINGS BOARD  
EASTERN WASHINGTON REGION  
STATE OF WASHINGTON

ERIC DAVIS,

Petitioner,

v.

STEVENS COUNTY,

Respondent.

Case No. 14-1-0001

**ORDER GRANTING  
MOTION TO DISMISS**

This matter comes before the Board on Respondent's Motion to Dismiss, filed March 25, 2015. Respondent asserts that the motion is appropriate because the Petitioner has not filed a timely Prehearing Brief with the Board in accordance with the Board's Order Granting Settlement Extension, issued January 6, 2015, which sets a March 11, 2015, deadline for Petitioner to file a Prehearing Brief. Petitioner did not file a response to the dismissal motion within the seven day time frame for response, WAC 242-03-710(3).

In accordance with WAC 242-03-710(1), a motion for dismissal may be brought by any party to the case when a party has failed to file a Prehearing Brief. Here, the Petitioner has not filed his Prehearing Brief by the due date. Timely filing of this brief is critical to holding a Hearing on the Merits of the case scheduled on April 15, 2015. In addition, it appears to the Board that the issues raised in the Petitioner's Petition for Review have been addressed by the County's adoption of Ordinance 2015-01, which reduced the size and scope of the Loon Lake LAMIRD. Therefore, dismissal of this case is appropriate.

**ORDER**

The Board hereby GRANTS Respondent's motion to dismiss. This case is closed.

DATED this 8th day of April, 2015.

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Charles Mosher, Board Member

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Raymond Paoella, Board Member

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William Roehl, Board Member

**Note: This is a final decision and order of the Growth Management Hearings Board issued pursuant to RCW 36.70A.300.<sup>1</sup>**

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<sup>1</sup> Should you choose to do so, a motion for reconsideration must be filed with the Board and served on all parties within ten days of mailing of the final order. WAC 242-03-830(1), -840. A party aggrieved by a final decision of the Board may appeal the decision to Superior Court within thirty days as provided in RCW 34.05.514 or 36.01.050. See RCW 36.70A.300(5) and WAC 242-03-970. It is incumbent upon the parties to review all applicable statutes and rules. The staff of the Growth Management Hearings Board is not authorized to provide legal advice.